

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in compliance with D.N.J. LBR 9004-1

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In re:

AMERICAN LIMOUSINE LLC

Debtor.

Case No. 21-10121-SLM

Chapter 11 (Subchapter V)

Hon. Stacey L. Meisel

**CONSENT ORDER RESOLVING MAHWAH PROPERTY OWNER, LLC'S MOTION
TO ALLOW AND COMPEL PAYMENT OF ADMINISTRATIVE EXPENSE CLAIM
UNDER 11 U.S.C. § 503(b)(1) FOR POST-PETITION AMOUNTS DUE FOR
POSSESSION OF REAL PROPERTY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
agreed upon and **ORDERED**.

Debtor: American Limousine LLC

Case No.: 21-10121-SLM

Caption: **Consent Order Resolving Mahwah Property Owner, LLC's Motion to Allow and Compel Payment of Administrative Expense Claim Under 11 U.S.C. § 503(b)(1) for Post-Petition Amounts Due for Possession of Real Property**

THIS MATTER, having been brought before the Court upon the motion of Mahwah Property Owner, LLC ("Mahwah") for the entry of an order allowing and compelling payment of an administrative expense claim to Mahwah for unpaid amounts incurred by the above-captioned subchapter V debtor, American Limousine, LLC (the "Debtor"), for continued use and possession of commercial property after the Debtor's petition date (the "Motion") [D.I. 153]; and the Debtor having filed a response in opposition to the Motion (the "Opposition") [D.I. 161] contesting the amount that Mahwah asserted to be due as an administrative expense claim in the Motion; and the Debtor having previously filed a proposed small business plan of reorganization (the "Plan") [D.I. 141], with a confirmation hearing presently scheduled for July 13, 2021; and the parties having engaged in good faith arm's length negotiations to resolve the Motion and the Opposition; and the parties having consented to the relief set forth herein as evidenced by the signatures of their respective undersigned counsel; and for good cause shown, it is hereby

AGREED and ORDERED that in resolution of the Motion and the Debtor's Opposition thereto, the Debtor shall file an amended Plan providing Mahwah with the following treatment:

1. Mahwah shall be entitled to and provided an allowed administrative expense claim pursuant to 11 U.S.C. § 503(b) in the amount of \$60,000.00 to be paid through the Plan in the same priority and time as other allowed administrative expense claims.
2. Mahwah shall have an allowed secured claim in a security deposit it is holding in the amount of \$48,888.96 (the "Security Deposit"), and the amended Plan shall provide that said secured claim shall be satisfied through the Debtor

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surrendering the Security Deposit to Mahwah upon the Court's entry of an order confirming the Plan. The Security Deposit shall be credited against Mahwah's pre-petition general unsecured claim [Claim No. 56-3], with the balance of the pre-petition general unsecured claim to be paid in accordance with the treatment and priority for general unsecured creditors under the Plan.

And it is further

AGREED and ORDERED that in the event the Plan as amended pursuant to this Consent Order is not confirmed, this Consent Order shall be null and void and (i) Mahwah shall be immediately entitled to relief from the automatic stay and be authorized to assume ownership of the Security Deposit and credit it against its pre-petition general unsecured claim without need for further order of the Court or notice to the Debtor; and (ii) all rights and remedies with respect to Mahwah's asserted administrative expense claim and the Security Deposit, including, but not limited to, renewing the Motion, shall be preserved.

[Signature page follows]

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The parties, through their undersigned counsel, hereby consent to the form, substance, and entry of the foregoing order:

By: 

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By: 

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Dated: 

Dated: 6/7/2021